

Kennecott Utah Copper Corporation
8315 West 3595 South
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Magna, Utah 84044-6001
(801) 252-3000

September 26, 2003

Kennecott

Mr. Tom Munson, Reclamation Hydrologist
State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Subject: South Jordan Evaporation Pond Sediment Removal Project
Bingham Canyon Mine M/035/001
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Dear Mr. Munson:

Thank you for meeting with Kennecott Utah Copper Corporation (KUCC) and Kennecott Land Company (KLC) on September 22, 2003, to discuss the transport of sediment from the South Jordan Evaporation Ponds to the Copper Notch Repository. KUCC and KLC agree to the conditions outlined in your September 22, 2003, letter.

The information provided electronically on August 22, 2003, and subsequent information provided in a September 22, 2003, memorandum by Jon Callender, KLC, is being provided as a supplement to the updated April 30, 2003, Bingham Canyon Mine Reclamation Plan. Notwithstanding this, KUCC points out that the South Jordan Evaporation Pond project is being done pursuant to Comprehensive Environmental Response Compensation Liability Act (CERCLA) authority that preempts local permitting requirements pursuant to 42 USC 9621(e). (January 3, 2002, Consent Decree, Civil Action No. 2:02CV1228DAK.)

Thank you again for your cooperation and willingness to work with KUCC and KLC.

Sincerely,



Paula H. Doughty, Manager
Environmental Affairs and Strategic Resources

Cc: Wayne Hedberg, DOGM
Jon Callender, KLC

File OPS/RR/BCM/Permitting Corresp

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